

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

February 25, 2019

1. Approval of minutes of meeting held February 11, 2019
2. Outside Counsel – Page 1
TAB # 1
3. Payment of Cost Items – Page 1 - 5
4. Information Items – Page 5
TAB # 2

2. Outside Counsel

- A. The Attorney General's Office on behalf of the University of Iowa requests retention of outside counsel pursuant to Iowa Code section 13.7 to retain special counsel to provide specialized legal services with respect to potential litigation challenging new federal regulations pertaining to the allocation and distribution of donor livers for purposes of organ transplantation.

Firm: Jones Day
555 South Flower Street
Fifteenth Floor
Los Angeles, CA 90071

Rate: Fees will be in accordance with a separate engagement letter and fee schedule between UI and Jones Day. Fees will range from \$1012 (lead litigator) to \$450 per hour (appeals associate) and will be split amount the participating transplant centers. Fees and costs will be paid directly by U of I.

TAB # 1

3. Payment of Cost Items

- A. Department of Public Safety\$10,249.74
On October 21, 2018 State Patrol Vehicle #79 was damaged by a deer on Highway 3 west of Hampton. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$252.44 will be reverted and this allocation closed.

- B. Department of Public Safety\$3,743.26
On November 21, 2018 State Patrol Vehicle #209 was damaged by a deer in Howard County. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment, \$5.65 will be reverted and this allocation closed.

- C. Department of Public Safety\$2,312.17
On September 17, 2018 State Patrol Vehicle #55 was damaged by a deer in Fremont County. Request was to cover repair costs.

The State Auditor's Office has reviewed this request and recommends payment. This represents full and final payment and this allocation closed.

- D. Gray Miller Persh, LLP.....\$417.00
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- E. Patterson Law Firm L.L.P.....\$612.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Steven Porter v. Iowa State Fair, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- F. Patterson Law Firm L.L.P.....\$300.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- G. Patterson Law Firm L.L.P.....\$480.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

H. Patterson Law Firm L.L.P.....\$240.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Brundies v. Iowa Department of Transportation, State of Iowa and
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

I. Patterson Law Firm L.L.P.....\$312.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Mary Kimball v. Woodward Resource Center, State of Iowa and Second
Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

J. Patterson Law Firm L.L.P.....\$924.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Mark Alan Plueger v. Iowa Department of Transportation, State of Iowa and
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

K. Patterson Law Firm L.L.P.....\$12.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Jeffrey M. Skaggs v. Newton Correctional Facility, State of Iowa and Second
Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

L. Patterson Law Firm L.L.P.....\$252.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Cherie Kreger v. University of Northern Iowa, State of Iowa and Second
Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

M. Patterson Law Firm L.L.P.....\$524.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Kameron Paulus v. Mt. Pleasant Correctional Facility, State of Iowa and
Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

N. Patterson Law Firm L.L.P.....\$154.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Barbara Stevens v. Iowa State University, State of Iowa and Second Injury
Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Second Injury Fund.

O. Richard J. Bennett, Sr.....\$2,934.00
PO Box 65666
West Des Moines, IA 50265
Special Counsel for the Criminal Appeals Division of the Iowa Attorney
General's Office

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Attorney General's
Office's Forfeiture Fund.

- P. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$2,460.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of
prospective state employees

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Department of Justice.

- Q. Simmons Perrine Moyer Bergman PLC.....\$300.00
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52402
Tobacco Settlement Authority

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made from the Tobacco Settlement
Authority.

- R. Foley & Lardner, LLP.....\$10,129.70
321 North Clark Street, Suite 2800
Chicago, IL 60654-5313
Legal Advice to OCIO

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and
recommends payment. Payment will be made by OCIO.

- S. Belin McCormick, P.C.....\$1,239.00
666 Walnut Street, Suite 2000
Des Moines, IA 50309
AFSCME Council 61 for the 2017-2019 or 2019-2021 collective bargaining
agreements

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and
recommends payment. Payment will be made from the General Fund

4. Information Items

- A. Iowa Department of Human Services is returning funds that are no longer
required from previous approved allocations.

TAB # 2

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-4419
Email: Jeffrey.Thompson@iowa.gov
www.iowaattorneygeneral.gov

February 21, 2019

Victoria Newton
Executive Secretary
Executive Council
State Capitol
LOCAL

Re: Retention of Special Counsel

Dear Victoria:

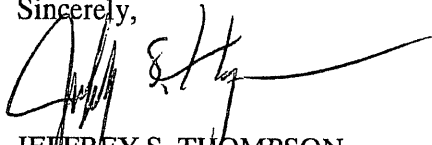
Our office requests authorization pursuant to Iowa Code section 13.7 to retain special counsel to provide specialized legal services to the University of Iowa (UI) with respect to potential litigation challenging new federal regulations pertaining to the allocation and distribution of donor livers for purposes of organ transplantation.

UI believes that the new system will radically change transplantation practices in the United States and negatively impact the access to transplant organs for rural populations in general and Iowans in particular. UI proposes to join other affected transplant centers, including but not limited to Vanderbilt University Medical Center, Indiana University Heath, and The University of Kansas Heath System, in bringing a legal challenge to the new regulations.

To provide these services, UI has recommended the law firm of Jones Day, 555 South Flower Street, Fiftieth Floor, Los Angeles, CA 90071. Fees will be in accordance with a separate engagement letter and fee schedule between UI and Jones Day. Fees will range from \$1012 (lead litigator) to \$450 per hour (appeals associate) and will be split among the participating transplant centers. Fees and costs will be paid directly by U of I.

Accordingly, our office recommends Jones Day be approved as Special Counsel.

Sincerely,



JEFFREY S. THOMPSON
Solicitor General

Kim Reynolds, Governor

Adam Gregg, Lt. Governor

Jerry R. Foxhoven, Director

February 15, 2019

EXECUTIVE COUNCIL

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

FEB 15 2019

Re: Governor's Proclamation of a State of Disaster Emergency – Return of Funds

Dear Ms. Newton:

I would like to return the remainder of unspent disaster grant funds issued during FY2017.


Pursuant to Iowa Code 29C.20A funds were allocated to be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funds were allocated to be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan. The amounts to be returned were not expended for the aforementioned purposes.

The following is a summary of the FY2017 events.

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>	<u>Authorized</u>	<u>Return</u>	<u>Council Approved Date</u>
401	0391	0000	6000	\$400,000.00	\$217,033.00	November 3, 2016
401	0391	0000	1715	\$100,000.00	\$ 52,751.00	March 20, 2017
401	0391	0000	6001	\$ 30,000.00	\$ 37.00	March 20, 2017
				Total	\$269,821.00	

Thank you.

Sincerely,


Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barbara DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Natalie Storm, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management